

ORIGINAL

FILED IN OPEN COURT
U.S.D.C. - Atlanta

APR 13 2021

By: JAMES N. HATTEN, Clerk
Cem Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

DANIEL KAYE,
aka "Popopret,"
aka "Bestbuy,"
aka "TheRealDeal,"
aka "Logger,"
aka "David Cohen,"
aka "Marc Chapon,"
aka "UserL0ser,"
aka "Spdrman,"
aka "Dlinch Kravitz,"
aka "Fora Ward,"
aka "Ibrahim Sahil"

Criminal Indictment

No.

1:21 CR139

Under Seal

Motion to Seal Indictment

The United States of America, by Kurt R. Erskine, Acting United States Attorney, and Ryan M. Christian, Assistant United States Attorney for the Northern District of Georgia, respectfully requests that the attached **Indictment**, motion to seal and order be sealed pursuant to Federal Rule of Criminal Procedure 6(e)(4) for the following reasons:

The Indictment concerns an investigation involving access device fraud and conspiracy to commit money laundering. The defendant, DANIEL KAYE, does not reside in the United States. Public disclosure of the Indictment, arrest warrant, or this Motion and any ensuing order will seriously jeopardize the investigation

by potentially causing the destruction of evidence, prompting the defendant and other targets to flee, and/or potentially driving their activities further underground. *See In re Sealed Affidavit(s) to Search Warrants*, 600 F.2d 1256, 1257-58 (9th Cir. 1979); *see Washington Post v. Robinson*, 935 F.2d 282, 290 (D.C. Cir. 1991); *see also United States v. Gomez*, 323 F.3d 1305, 1307 (11th Cir. 2003) (“The district courts have substantial supervisory powers over their records and files”).

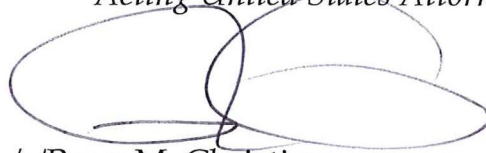
WHEREFORE, the United States of America respectfully requests that this motion, the **Indictment** and ensuing order be sealed until further order of this Court, but that law enforcement be permitted to disclose these materials to international law enforcement authorities for the purpose of facilitating arrest and/or extradition.

Submitted this 13th day of April 2021.

Respectfully submitted,

KURT R. ERSKINE

Acting United States Attorney

A handwritten signature in blue ink, appearing to read "Ryan M. Christian", enclosed within a large, loopy oval shape.

/s/Ryan M. Christian

Assistant United States Attorney

Georgia Bar No. 227657

Ryan.Christian@usdoj.gov